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TRANSMITTAL LETTER			Case No. 11758/213
Serial No. 10/678,865	Filing Date October 3, 2003	Examiner Kathleen J. Prunner	Group Art Unit 43751
Inventor(s) Kenneth J. Muderlak			
Title of Invention Automatic Flushing Actuator for Tank Style Toilets			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate), Information Disclosure Statement (in duplicate), Form PTO-1449, Copy of One (1) Cited Reference (B10), Check for \$180, and Return Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 43 =			x \$86 =	
+ \$145 =			+ \$290 =	
Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$ 180.00 to cover the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Adam D. Airhart  
Registration No. 51,387  
Attorney for Applicant  
Customer No. 00757 Brinks Hofer Gilson & Lione

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
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(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 17, 2005.

Date: May 17, 2005

Signature: \_\_\_\_\_



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kenneth J. Muderlak

Appln. No.: 10/678,865

Filed: October 3, 2003

For: Automatic Flushing Actuator for  
Tank Style Toilets

Attorney Docket No: 11758/213

Examiner: Kathleen J. Prunner

Art Unit: 3751

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicant hereby cites the following reference(s):

No.	Date of Publication	Patentee/Applicant/Assignee
D393,627	April 21, 1998	Veal
D382,948	August 26, 1997	Veal
D380,817	July 8, 1997	Veal
5,603,127	February 18, 1997	Veal
D352,101	November 1, 1994	Veal
D352,100	November 1, 1994	Veal
5,307,524	May 3, 1994	Veal
4,831,670	May 23, 1989	Velasquez
2,813,274	November 19, 1957	Lewis et al.
GB 2 260 998	May 5, 1993	Lee

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other

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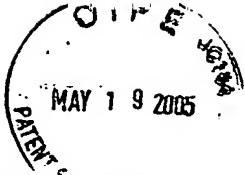
information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicant has enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

Respectfully submitted,

May 17, 2005  
Date

  
\_\_\_\_\_  
Adam D. Airhart (Reg. No. 51,387)



FORM PTO-1449	SERIAL NO. 10/678,865	CASE NO. 11758/213
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE October 3, 2003	GROUP ART UNIT 3751
(use several sheets if necessary)	APPLICANT(S):	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	D393,627	April 21, 1998	Veal		
	B2	D382,948	August 26, 1997	Veal		
	B3	D380,817	July 8, 1997	Veal		
	B4	5,603,127	February 18, 1997	Veal		
	B5	D352,101	November 1, 1994	Veal		
	B6	D352,100	November 1, 1994	Veal		
	B7	5,307,524	May 3, 1994	Veal		
	B8	4,831,670	May 23, 1989	Velasquez		
	B9	2,813,274	November 19, 1957	Lewis et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	B10	GB 2 260 998	May 5, 1993	Great Britain		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.